

IN THE MAGISTRATE COURT OF WALTON COUNTY, STATE OF GEORGIA

Plaintiff/Lien Claimant

Civil Action File No: \_\_\_\_\_

Motor Vehicle (list year, make, model)

Vehicle Identification Number (VIN#)

Tag Number (list State, if applicable)

\*
\*
\*
\*
\*
\*
\*
\*
\*

ABANDONED VEHICLE AFFIDAVIT

The name(s) and address(es) of the last known registered owner(s) and/or all lienholder(s) of the vehicle is/are: (Owner means registered owner, the owner as recorded on title, lessor, lessee, security interest holders & all lienholders as shown on the records of the Dept. of Motor Vehicle Safety.)

OR: [ ] ARE UNKNOWN

I, \_\_\_\_\_, (hereinafter referred to as Plaintiff), personally appeared before the undersigned officer, duly authorized to administer oaths, swears/affirms the following;

The Plaintiff is in possession of the above described motor vehicle. The vehicle was removed to and/or has been stored at the following location:

(List street address, city, state, zip code) Name of business, if applicable

The vehicle was impounded at the request of a: [ ] private individual [ ] city officer/official [ ] county officer/official [ ] Georgia State Patrol.

I hereby further solemnly swear or affirm that in following the procedure to foreclose on an abandoned vehicle lien on said vehicle, I have complied with the requirements of O.C.G.A. §40-11-2 as evidenced by the following:

- 1. Within three (3) days of the removal or storage of said vehicle, I obtained the identity and address of all known owners of such vehicle from the law enforcement officer requesting removal of the vehicle or from a local law enforcement agency for the jurisdiction in which my business is located as evidenced by document(s) attached hereto and incorporated herein as "Exhibit A", and
2. Using the information contained in Exhibit A, I notified or attempted to notify the owner, lessor, lessee, or any holder of a lien or security interest of said vehicle that said vehicle would be deemed abandoned at the expiration of thirty (30) days as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit B", and
3. On or after the thirty-first day following the removal or storage of said vehicle without said vehicle having been redeemed, I gave notice in writing to the Department of Motor Vehicle Safety (hereinafter referred to as the "Department") pursuant to the procedure set forth in O.C.G.A. §40-11-2(e) and requested the name and address of all owners of such vehicle as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit C", and
4. Within five (5) calendar days of having received the information requested in Exhibit C, I either:
(A) Notified the owner, or lessee, or any holder of a lien or security interest by certified mail and first class mail; or
(B) Placed an advertisement in a newspaper of general circulation in the county where such vehicle was obtained once a week for two (2) consecutive weeks; or
(C) Placed an advertisement at the county courthouse in such place where other public notices are posted for two consecutive weeks;

Advising the owner(s) of their obligations and rights to redeem such vehicle and such owner, lessee or holder of a lien or security interest disclaim their ownership or interest in such vehicle as evidenced by the document(s) attached hereto and incorporated herein as "Exhibit D"; and

WHEREFORE, Plaintiff makes this Affidavit for the purpose of foreclosing the lien upon the above described vehicle and prays that execution issue for:

Accrued Storage Fees: \$ \_\_\_\_\_ AT: (\$ \_\_\_\_\_ X \_\_\_\_\_ days)
Advertising Fees/Costs: \$ \_\_\_\_\_ PLUS future storage at \$ \_\_\_\_\_ (per day) until the date of public sale.
Court Costs: \$ \_\_\_\_\_
Repair Fee: \$ \_\_\_\_\_ TOTAL LIEN: \$ \_\_\_\_\_

Sworn to and subscribed before me this
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
Notary Public/Attesting Official

Plaintiff or Agent for Plaintiff (Area Code) Phone Number (cell, home, or work)

Address (Street, City, State, Zip Code)